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Research to Practice: State Employment First Policies: State Definitions, Goals and Values

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This brief is the first in a series focusing on Employment First implementation as it relates to one of the seven elements within the High-Performing States in Integrated Employment model¹. It examines the background of circumstances under which Employment First efforts began in seven states, and introduces each state's values, mission, and goals around increasing employment opportunities for people with disabilities. States may use the lessons in this brief to develop an Employment First policy, or to evolve existing efforts.

Introduction

For more than a decade, many states have been developing policies that prioritize integrated employment as the first choice and preferred outcome for individuals with intellectual/developmental disabilities (IDD). Collectively, these actions have been united under the framework of Employment First. Employment First represents a commitment by states and state IDD agencies to the propositions that all individuals with IDD (a) are capable of performing work in typical integrated employment settings, (b) should receive as a matter of state policy employment-related services and supports as a priority over other facility-based and non-work day services, and (c) should be paid at minimum or prevailing wage rates ^{2,3}.

Employment First policies and practices are determined at the state level, and there is no federal mandate that states adopt Employment First. However, at the national level Employment First is supported by policy statements from advocacy organizations and from the Department of Labor's Office of Disability Employment Policy (2015), the Centers for Medicare and Medicaid Services' Home and Community-Based Services waiver program (2011), the Department of Justice (2014), and the Workforce Innovation and Opportunity Act (2014).

As states implement federal policy it is important to understand the background, mission, values, and goals of states' Employment First policies and how these elements contribute to the success of both state and federal employment efforts.

Where the findings came from

In this study, the Institute for Community Inclusion framed the national data collected on states' efforts to implement Employment First according to the High-Performing States in Integrated Employment Model, which sets out the key elements to effective employment systems change. While the model is comprised of seven individual elements (see Table 1), a change in one of the elements should influence and impact changes in each of the other elements. In this way, the model helps to explain the overall depth and scope of each state's integrated employment improvement efforts.

Extensive case study data was collected for a subsample of seven states: Connecticut, Delaware, Kansas, Missouri, Minnesota, Tennessee, and Washington. These states were selected because they represent a wide range of implementation strategies, not necessarily because they were experiencing high rates of integrated employment.

¹Hall, A. C., Butterworth, J., Winsor, J., Gilmore, D., & Metzel, D. (2007). Pushing the employment agenda: Case study research of high performing states in integrated employment. *Intellectual and developmental disabilities*, 45, 182–198.

²Kiernan, W. E., Hoff, D., Freeze, S., & Mank, D. M. (2011). Employment first: A beginning not an end. *Intellectual and developmental disabilities*, 49, 300–304.

³Rogan, P., & Rinne, S. (2011). National call for organizational change from sheltered to integrated employment. *Intellectual and developmental disabilities*, 49, 248–260.

TABLE 1: ELEMENTS OF HIGH-PERFORMING STATES IN INTEGRATED EMPLOYMENT MODEL

Leadership	Local and state level administrators are clearly identifiable as “champions” for employment.
Strategic goals and operating policy	State mission, goals and operating policies emphasize employment as a preferred outcome.
Financing and contracting methods	Funding mechanisms and contracts with providers emphasize employment as the preferred outcome.
Training and technical assistance	There is a sustained and significant investment in employment-related training and technical assistance.
Interagency collaboration and partnership	Through interagency agreements and relationships, provider collaboration, and outreach to stakeholders, employment is shared as a common goal.
Services and service innovation	The state IDD agency works to create opportunities for providers, individuals, and families to make optimum use of the resources available for employment; includes disseminating information related to creative strategies to support individuals in employment.
Performance measurement and data management	Comprehensive data systems that are used as a strategic planning tool to further the state’s goals of increasing employment.

Findings

States vary in their type of Employment First policy.

Four of the seven states studied have implemented Employment First policies using formal approaches, including Connecticut, Delaware, Missouri, and Washington. Minnesota can trace implementation to grassroots efforts. Kansas and Tennessee can trace implementation to a combined grassroots and formal approach. Table 2 provides a description of the different types of policies.

Developers and advocates of the policy impact their scope.

Minnesota, Kansas, and Tennessee define Employment First as covering all people with disabilities. In Tennessee, where the Department for Intellectual and Developmental Disabilities (DIDD) played a strong role in policy development, integrated employment is the first option considered for people receiving services from DIDD, Medicaid, or the state. States with formal Employment First policies emphasize employment as a means of including people with IDD in the community.

States definitions of Employment First reflect their goals and values.

While the seven states all used Employment First as a strategy to publicly endorse employment as the first service option for all people with disabilities including IDD, the supporting state-level elements demonstrate each state’s goals and priorities. Table 3 provides a method to see the similarities and differences.

State goals focus on expanding employment by prioritizing different changes.

The states’ policy goals center on expanding integrated employment, but they prioritize different strategies to achieve progress. This includes coordinating efforts to track data, seeking out greater consumer input, and

developing state agency partnerships with stakeholders.

- The goals in Tennessee and Kansas center on coordinating and tracking the efforts of state agencies and stakeholder work groups to implement policies that encourage competitive employment and remove barriers to employment.
- The policy goal for Minnesota is closing the gap in employment by facilitating dialogue and transferring more decision-making power to individuals and families around employment through consumer-driven services with individualized self-directed budgets.
- The goals of states with formal policies emphasize the IDD agency’s partnership with other agencies to accomplish a broad policy goal, such as moving people with IDD out of poverty and receiving support from the Office of Disability Employment Policy’s Employment First State Leadership Mentoring Program (CT), setting goals through the IDD agency to require steady increases in the number of people with disabilities in competitive employment (DE), and establishing values-based services around the expectations that people of working age who have disabilities will work in integrated settings and earn competitive wages (MO and WA).

TABLE 2: TYPE OF EMPLOYMENT FIRST POLICY

TYPE OF POLICY	DESCRIPTION
Formal	Top-down approach: The formal policies begin with governmental agencies taking the initiative to create systems change and reaching out to stakeholders for support with implementation.
Grassroots	Bottom-up approach: The grassroots way begins with efforts by stakeholders in the community securing grant funding to begin new employment initiatives.
Combination	Grassroots and formal: These policies include both state agencies and other stakeholders working together from the beginning to initiate Employment First.

TABLE 3: STATE DEFINITIONS, GOALS, AND VALUES

STATE	FOCUS OF DEFINITION	STATE-LEVEL GOALS AND VALUES
CT	Employment in an integrated setting shall be the first service option explored for people with disabilities of working age.	Emphasizes beginning to explore employment services during individuals' early school life; includes focusing employment services on career advancement beyond the initial integrated employment placement.
DE	Employment in an integrated setting shall be the first service option explored for people with disabilities of working age.	The intellectual and developmental disability agency established goals regarding the number of individuals who are working in competitive jobs; individual service plans include a plan for community employment; and individuals participating in day habilitation programs must be assessed for community employment every three years.
KS	Employment First as a coordinated or unified effort by all state agencies to ensure that people with disabilities of working age are offered services with the goal of competitive employment in an integrated setting.	Authorizes state agencies to adopt regulations to strengthen interagency collaboration; unique in this group of seven states in defining "competitive employment" and "integrated setting." COMPETITIVE EMPLOYMENT: "work in the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled." INTEGRATED SETTING: "with respect to an employment outcome, a setting typically found in the community in which applicants or eligible individuals interact with non-disabled individuals, other than non-disabled individuals who are providing services to those applicants or eligible individuals, to the same extent that non-disabled individuals in comparable positions interact with other persons."
MN	The policy originated as a grassroots movement, defines Employment First as raising the expectation that everyone of working age who has a disability can work, wants to work, and can achieve successful integrated employment, and that they be offered the opportunity to work and earn a competitive wage before other services are considered.	Focuses on individuals earning at least minimum wage, and preferably the prevailing wage.
MO	Employment in an integrated setting shall be the first service option explored for people with disabilities of working age.	Focuses employment services on career advancement beyond the initial integrated employment placement. Emphasizes individuals earning at least minimum wage, and preferably the prevailing wage.
TN	Employment First as a coordinated or unified effort by all state agencies to ensure that people with disabilities of working age are offered services with the goal of competitive employment in an integrated setting.	Focuses on individual goals and preferences, the availability of formal and natural supports, career advancement, and job satisfaction.
WA	Employment in an integrated setting shall be the first service option explored for people with disabilities of working age.	Definition is detailed, establishing the working-age limit at 62 and stating that funds for people aged 16–62 will be spent primarily on employment support services. Focuses on individuals earning at least minimum wage, and preferably the prevailing wage.

Lessons learned

The elements that coalesce within a state to fuel Employment First impact the ultimate policy definition, goals, and values. While the majority of states have some form of Employment First effort, both states with existing efforts and those with emerging efforts should consider the impact that the following elements have on their work:

- Whether the policy is formal, grassroots, or a combination can impact its implementation. For example, only formal state policies can require state agencies to make changes to prioritize employment. However, grassroots efforts can begin a dialogue with state agencies and stakeholders to help establish goals and objectives that the state agencies can ultimately adopt.
- States that engage a wide-ranging coalition of disability agencies and advocates typically expand Employment First to include individuals with any type of disability that impacts employment. Ultimately, the developers and advocates of the policy impact which individuals are covered by the policy.
- Stakeholders who examine their states' definitions of Employment First understand the priorities they can expect state agencies to address.

Conclusion

Employment First represents the national shift toward integrated employment for people with disabilities, framed by the expectation that people of working age should be expected to work and contribute economically. Not surprisingly, states whose policies were developed by a wider range of stakeholders apply those policies broadly to people with all disabilities. With these broader policies, more attention is paid to unifying implementation efforts and defining terms to ensure that all partners cooperate with the policy. States with formal policies have the IDD agency as the clear leader in policy development, and depend on stakeholders' input to achieve policy goals. Beyond these distinctions, each state has a set of goals and values that focus the definitions within their Employment First policy, making a public commitment to integrated employment for working-age individuals.

Subsequent briefs will provide more detail on how other elements in the High-Performing States Model support the success of Employment First.

ACCESS TO INTEGRATED EMPLOYMENT

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